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AO 91 (Rev. 08/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
District of Oregon

United States of America )

v. )

SKYLAAR DYLAN FORD )

Case No.

'17-MJ-77'

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 9, 2017 in the county of Multnomah in the  
District of Oregon, the defendant(s) violated:

## Code Section

21 U.S.C. §§ 841(a)(1) and  
841(b)(1)(C)

## Offense Description

Possession with Intent to Distribute a Controlled Substance  
(MDMA) - On or about June 9, 2017, within the District of  
Oregon, defendant Skylaar Dylan Ford, did knowingly and  
intentionally possess with intent to distribute 3,4-  
Methylenedioxymethamphetamine (MDMA), a Schedule I  
controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and  
841(b)(1)(C).

This criminal complaint is based on these facts:

See Affidavit of Homeland Security Investigations Special Agent Guy Gino.

☒ Continued on the attached sheet.

Sworn via phone at 4:30pm, 6/13/2017 (FRCP 4.1)

Complainant's signature

Guy Gino, Special Agent, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/13/2017

Stacie Beckerman

Judge's signature

City and state: Portland, Oregon

Hon. Stacie F. Beckerman, U.S. Magistrate Judge

Printed name and title

DISTRICT OF OREGON

ss.

AFFIDAVIT OF GUY GINO

COUNTY OF MULTNOMAH

**Affidavit in Support of Criminal Complaint and Application for an Arrest Warrant**

I, Guy Gino, being first duly sworn, depose and say:

**Introduction and Agent Background**

1. I am a Special Agent (SA) with Homeland Security Investigations (HSI) and have been so employed since 2003. I am a law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7) and I am authorized by law to conduct investigations and to make arrests for felony offenses. I am currently assigned to the Assistant Special Agent in Charge, Portland, Oregon. Prior to this, I was employed as a U.S. Border Patrol Agent and have been a federal law enforcement officer since September 1996. I am authorized and assigned to investigate violations of federal laws, including 21 U.S.C. §§ 841(a)(1), 846, 848, and 843(b) of the Drug Abuse Prevention and Control Act of 1970; that is, possession with intent to distribute and the distribution of controlled substances, conspiracy to commit such offenses, the operation of a continuing criminal enterprise, and the use of a communication facility to facilitate a felony violation of the Drug Abuse Prevention and Control Act of 1970. During my tenure as a federal law enforcement officer, I have investigated and/or participated in investigations of conspiracy, money laundering, narcotics trafficking, fraud, smuggling and theft. I have also acquired knowledge and information about the illegal drug trade and the various means and methods by which it is furthered including through the use of computers, smart phones, digital media and the Internet from formal and informal training, other law enforcement officers and investigators, informants, individuals I have arrested and/or interviewed, and from my participation in other investigations. I am currently detailed to the

High Intensity Drug Trafficking Area (HIDTA) Interdiction Taskforce (HIT) located at the Portland Police Bureau's Drugs and Vice Division.

**Applicable Law**

2. The Controlled Substances Act (CSA) is the statute establishing federal U.S. drug policy under which the manufacture, importation, possession, use and distribution of certain substances is regulated. The CSA classified drugs into five schedules. Schedule I drugs, substances or chemicals are defined as drugs with no currently accepted medical use and a high potential for abuse. Schedule I drugs are the most dangerous drugs of all the drug schedules with potentially severe psychological or physical dependence. 3, 4 - Methylene-dioxy-methamphetamine, also known as MDMA and/or "ecstasy," is a "controlled substance" as defined by 21 U.S.C. § 802. MDMA is a Schedule I controlled substance. Pursuant to 21 U.S.C. § 841(a)(1), it is unlawful for any person to knowingly or intentionally manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance.

**Statement of Probable Cause**

3. On June 9, 2017, Multnomah County Probation and Parole Officer Kevin Novinger was conducting a home visit on Skylaar Dylan FORD. FORD is on post-prison supervision from a Lane County conviction for possession of a schedule II controlled substance.

4. During the visit, Probation and Parole Officers Novinger and Cruz were granted consent to search FORD's residence and found that FORD had a friend visiting him. It was discovered that the individual to had an outstanding warrant and was arrested.

5. During the search of the residence PPO Novinger discovered over 100 grams of Heroin, which FORD claimed belonged to his friend. PPO Novinger contacted Portland Police

Bureau for assistance. I was also contacted and responded to the location with PPB Officers Verbout and Groshong.

6. I know Skylaar Dylan FORD from a separate investigation. Previously, on September 30, 2016, 10 pounds of marijuana were discovered in FORD's possession during a similar consent search conducted by Multnomah County Probation and Parole. During that time, I was called out to assist on that investigation due to my knowledge regarding narcotics sales using the dark net and bitcoin. After being advised of his *Miranda* rights, FORD admitted to me that he was dark net vendor of Marijuana, Butane Hash Oil (BHO), and other Marijuana extract products. FORD explained that he would ship these narcotics throughout the United States and the United Kingdom using the U.S. Postal Service.

7. During this September 30, 2016, incident, FORD cooperated and identified his AlphaBay vendor account username and provided me with his user credentials. FORD consented for Homeland Security Investigations to take over his vendor account. As a result, I was able to identify that during the previous 11-month period, FORD's AlphaBay vendor account had conducted 1,684 sales and grossed more than a \$1,000,000.

8. On June 9, 2017, the immediate incident, I arrived at the scene and was briefed by PPO Novinger. I observed PPO Novinger place FORD into custody and advise him of his *Miranda* warnings. I also observed PPO Novinger asked permission to search the rest of FORD's residence to which FORD stated "sure".

9. During the search, I located an unopened US Mail Priority Parcel which was addressed to Skylar FORD & Orbit at FORD's residence. The parcel originated in Alaska and had listed FORD's mother's name as the sender. PPO Novinger informed me that FORD told him it was a "July 4<sup>th</sup>" gift for him and his girlfriend from his mother and he didn't want it opened.

10. I showed the parcel to FORD and asked him what it was to which FORD told me that it was a gift for his dog Orbit and he can't open it until July 4<sup>th</sup> because he promised.

11. PPB K9 officer Groshong arrived and I informed FORD that I feel he was lying to me and I wanted to have the K9 sniff the parcel. At that time FORD stated "you can open it. It's molly". I know molly to be another name for the schedule I controlled substance 3,4-Methylene-dioxy-methamphetamine, which is more commonly known as MDMA.

12. I opened the parcel which secreted inside a new blanket was two bricks that were wrapped in carbon paper and heat-sealed food saver packaging. I cut ten packaging and observed a champagne colored substance that was later identified by test kit to be MDMA, a Schedule I controlled substance. The total weight was 500 grams.

13. FORD told me that he was again selling on the dark net site AlphaBay, but this time it was "molly" or MDMA. FORD informed me that he ordered the MDMA from the Netherlands and it was shipped to a friend in Alaska who then repackaged it and sent it to him at his residence.

14. FORD provided me with his AlphaBay vendor username which he informed to me had been operating since November 2016. I later went onto the site AlphaBay was able to confirm the username FORD provide to me. I was able to observe that it has been a vendor account since November 16, 2016 and has 531 confirmed sales of MDMA.

15. I know, based upon my training and experience, that MDMA is commonly sold in either pill or powder form and an individual dosage of MDMA is measured in milligram quantities. I also know that 500 grams of MDMA is well beyond a typical user amount and, from my training and experience, a person possessing 500 grams of MDMA possesses it for purposes of further distribution.



**CONCLUSION**

16. Based on the foregoing, I have probable cause to believe, and I do believe, that on or about June 9, 2017, Skylaar Dylan FORD knowingly and intentionally possessed with the intent to distribute 500 grams of MDMA, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C).

17. Prior to being submitted to the Court, this affidavit, the proposed complaint, and the requested arrest warrant were all reviewed by Assistant United States Attorney (AUSA) Scott Kerin. AUSA Kerin advised me that, in his opinion, the affidavit and application are legally and factually sufficient to establish probable cause to support the issuance of the requested warrant.


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18. It is respectfully requested that the Court issue an order sealing, until further order of the Court, all papers submitted in support of the requested search warrant, including the application, this affidavit, the attachments, and the requested search warrant. I believe that sealing these documents is necessary because the information to be seized is relevant to an ongoing investigation, and any disclosure of the information at this time may endanger the life or physical safety of an individual, cause flight from prosecution, cause destruction of or tampering with evidence, cause intimidation of potential witnesses, or otherwise seriously jeopardize an investigation. Premature disclosure of the contents of the application, this affidavit, the attachments, and the requested search warrant may adversely affect the integrity of the investigation.

Sworn via telephone at 4:30pm on  
June 23, 2017 (FRCP 4.1)

  
Special Agent Guy Gino  
Homeland Security Investigations

SUBSCRIBED and SWORN to me this 13th day of June 2017.

  
Honorable Stacie F. Beckerman  
United States Magistrate Judge